



#13
goiga

Attorney Docket No.: 46146-C2 (48340)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: P. Rhode et al.

Application No.: 09/848,164

Group No.: 1644

Filed: May 3, 2001

Examiner: Dr. A. DeCloux

For: MHC MOLECULES AND USES THEREOF

RECEIVED

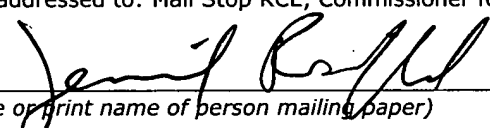
MAY 30 2003

TECH CENTER 1600/2900

CERTIFICATION UNDER 37 C.F.R. 1.10*

(Express Mail label number is mandatory.)

I hereby certify that this correspondence and the documents referred to as attached therein are being deposited with the United States Postal Service on this date May 23, 2003 in an envelope as "Express Mail Post Office to Addressee," mailing Label Number EV 342 588 223 US addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


(type or print name of person mailing paper)

Jennifer K. Rosenfield

Signature of person mailing paper

MAIL STOP RCE

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

REQUEST FOR CONTINUED EXAMINATION (RCE)

(37 C.F.R. 1.114)

1. Applicant hereby requests continued examination, in accordance with 37 C.F.R. Section 1.114, for the above identified application.

TIME REQUEST IS BEING MADE

2. This request is being submitted (check appropriate item(s) below):

- i. ☒ Prior to abandonment of the application
- ii. ☐ Payment of the issue fee
 - ☐ Prior to payment of issue fee
 - ☐ Issue fee has been paid but a petition under Section 1.313 has been granted
- iii. ☐ Prior to a decision on appeal to the Board of Patent Appeals & Interferences
 - ☐ A notice is being separately sent to the Board of Patent Appeals & Interferences that this Request for Continued Examination is being filed.

05/28/2003 KZEWDIE 00000049 09848164

01 FC:2801
02 FC:2253

375.00 OP
465.00 OP

- | | |
|--------------------------|--|
| <input type="checkbox"/> | Prior to the filing of such appeal or commencement of civil action |
| <input type="checkbox"/> | Such appeal or commencement of civil action has been terminated |

ENCLOSURES

3. Enclosed herewith is/are:

- ☐ An information disclosure (37 C.F.R. Section 1.98)
☐ Form PTO-1449 (PTO/SB/08A and 08B)
☒ An amendment

RECEIVED

MAY 30 2003

- [] New arguments
[] New evidence in support of patentability
[] Other:

TECH CENTER 1600/2900

FEE FOR REQUEST (37 C.F.R. Section 1.17(e)).

4. This application is on behalf of:

- | | | | |
|-------------------------------------|--|-----------|--|
| <input checked="" type="checkbox"/> | Small entity (and status is still as small entity) | \$375.00 | |
| <input type="checkbox"/> | Other than a small entity | \$750.00 | |
| | Continued Prosecution Request Fee | \$ 375.00 | |

FEE FOR CLAIMS

5. The fee for claims (37 C.F.R. Section 1.16(b)-(d)) has been calculated as shown below:

(Col. 1)						(Col. 2)		(Col. 3) SMALL ENTITY		OTHER THAN A SMALL ENTITY	
Claims		Remaining After Amendment		Highest No. Previously Paid For		Present Extra		Rate		Addit. Fee	
								OR		Rate	
										Addit. Fee	
Total	*	Minus	**	=	x \$9 =	\$				x \$18 =	\$
Indep.	*	Minus	***	=	x \$42 =	\$				x \$84 =	\$
[] First Presentation of Multiple Dependent Claim					+ \$140 =		\$			+ \$280 = \$	
Total Addit. Fee					\$____		OR	Total \$____		Addit. Fee	

(complete (c) or (d), as applicable)

(c) ☒ No additional fee is required.

OR

(d) ☐ Total additional fee required is \$ _____.

EXTENSION OF TIME

(If an extension of time is appropriate complete (a) or (b), as applicable)

6. The proceedings herein are for a patent application, and the provisions of 37 C.F.R. Section 1.136(a) apply.

(a) ☒ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. Section 1.17(a)(1)-(4), for the total number of months checked below:

Extension for <u>(months)</u>	Fee for <u>small entity</u>	Fee for other than <u>small entity</u>
<input type="checkbox"/> one month	\$ 55	\$110
<input type="checkbox"/> two months	\$ 205	\$410
<input checked="" type="checkbox"/> three months	\$ 465	\$930
<input type="checkbox"/> four months	\$ 725	\$1,450
	Fee	\$ <u>465.00</u>

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

☐ An extension for _____ months has already been secured, and the fee paid therefor of \$ _____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ _____

OR

(b) ☐ Applicant believes that no extension of time is required. However, this is a

conditional petition and authorization to pay the necessary fees to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

TOTAL FEE(S) DUE

WARNING: The fee for continued examination under Section 1.114 may not be deferred. 37 C.F.R. Section 1.53(f).

7. The total fee(s) due is/are:

Continued Prosecution Fee (Section 1.17(e))	\$ <u>375.00</u>
Fee(s) for additional claims (if any) (Section 1.16(b)-(d))	\$ _____
Extension of time fee (if any) (Section 1.17(a)(1)-(4))	\$ <u>465.00</u>
Total Fee(s) Due:	\$ <u>840.00</u>

PAYMENT OF FEE(S) DUE

8. Please pay the fee(s) for this continued examination application as follows:

<input checked="" type="checkbox"/> Check is attached for the sum of	\$ <u>840.00</u> _____
<input type="checkbox"/> Charge Account _____ the sum of	\$ _____
<input type="checkbox"/> Charge Credit Card the sum of (Credit Card Payment Form (PTO-2038) attached.)	\$ _____

Please charge any required additional fee(s) for Section 1.17(e), Section 1.16(b)-(d) and/or Section 1.17(a)(1)-(4) to

<input checked="" type="checkbox"/> Account <u>04-1105</u>	
<input type="checkbox"/> Credit Card (Credit Card Payment Form (PTO-2038) attached.)	

INVENTORSHIP

9. This application as amended names as inventors:

<input checked="" type="checkbox"/>	the same inventors as previously designated for the claims.
<input type="checkbox"/>	fewer than the inventors previously designated and a statement accompanies this request for the deletion of the name or names of the person or persons who are not inventors of the invention now being claimed.

Attorney Docket No.: 46146-C2 (48340)

Applicant: P. Rhode et al.

U.S. Serial No. 09/848,164

Filing Date: May 3, 2001

☐ a person not named previously as an inventor and a petition under 37 C.F.R. Section 1.48 is/has separately:

☐ being filed

☐ been filed

Respectfully submitted,



SIGNATURE OF PRACTITIONER

Jennifer Rosenfield, Reg. No. 53,531
(type or print name of practitioner)

Tel. No.: (617) 439-4444

EDWARDS & ANGELL LLP
P.O. Address

Customer No.: 21874

P.O. Box 9169

Boston, MA 02209

BOS2_336467.1



14/D
goiga
6/7

Docket No. 46146-C2 (48340)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: P. Rhode et al.

Serial No.: 09/848,164

Examiner: Dr. A. DeCloux

Filed: May 3, 2001

Group Art Unit: 1644

For: MHC MOLECULES AND USES THEREOF

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage as Express Mail (Express Mail Label No. EV 342 588 223 US, in an envelope addressed to: MAIL STOP RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 23, 2003.

By:

Jennifer K. Rosenfield
Jennifer K. Rosenfield
Agent for Applicants
Reg. No. 53,531

MAIL STOP RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

AMENDMENT AND RESPONSE TO FINAL OFFICE ACTION

This communication is submitted in response to the Final Office Action dated November 25, 2002 (Paper No. 8). A Request for Continued Examination (RCE) and a request for an appropriate extension of time are being submitted on even date herewith. Please amend the above-identified application as follows.

IN THE CLAIMS

Please cancel claims 29-31, 35-37, 43-48, 52, 56, 64, 65, 70, and 77-87 without prejudice. Please amend claims 53, 55 and 66-76 as follows: